



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,932	12/12/2003	Chi Fai Ho	IPLN.P0001C	2247
7590	01/20/2006		EXAMINER	
Peter Tong 1807 Limetree Lane Mountain View, CA 94040			HARRIS, CHANDA L	
			ART UNIT	PAPER NUMBER
			3715	
DATE MAILED: 01/20/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Fath

Office Action Summary	Application No. 10/734,932	Applicant(s) HO ET AL.	
	Examiner Chanda L. Harris	Art Unit 3715	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/12/04, 2/22/05, 5/12/05, 9/14/05, 1/7/06.</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

In response to the Preliminary Amendment filed 5/18/05, Claims 13-32 are pending.

Information Disclosure Statement

The information disclosure statements filed 3/12/04 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. Moreover, the electronic documents cited are in improper form for the citation of electronic documents. See MPEP 707.05(e) for the guidelines set forth for citing electronic documents. It has been placed in the application file, but the information referred to therein has not been considered.

The information disclosure statement filed 3/12/05 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Specification

The disclosure is objected to because of the following informalities: The status of 09/656,390 needs to be updated on the first page of the specification.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 13-18, 23-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Siefert (US 5,904,485).

1. [Claims 13,17-18,23,27-28]: Regarding Claims 13,17-18, 23, and 27-28, Siefert discloses retrieving test results from testing (i.e., assessment) the user on at least one area of the subject after materials on the subject have been presented for the user to learn. See Col.9: 10-19. Siefert discloses analyzing the test results using a relationship rule to suggest certain activity (e.g., lesson number 13) for the user. See Col.9: 10-19. Siefert discloses wherein the relationship rule defines at least a

relationship between at least two area of the subject (e.g., lesson number 12 and lesson number 13 of analytic geometry). See Col.9: 14-19. Siefert discloses wherein the method further comprises selecting an area of the subject for the user to work on (e.g., lesson number 13), and wherein the user previously has been assessed (i.e., successfully completed 12 of 60 lessons) to have achieved a certain satisfactory level of understanding in the area after presentation of materials regarding the area to the user. See Col.9: 14-19. Siefert discloses wherein one or more additional areas or a third area and a fourth area of the subject may be selected for the user to work on after the user has been previously assessed to have achieved a certain satisfactory level of understanding in the area and depending on the time elapsed from the time when the user has been assessed to have achieved a certain level of understanding in the third area. See Col.9: 14-19, 62-67. Siefert discloses wherein the area is selected for the user without depending on whether the user has been assessed to have achieved a certain satisfactory level of understanding in the one or more additional areas. See Col.14: 40-58.

2. [Claims 14-15,24-25]: Regarding Claims 14-15 and 24-25, Siefert discloses the testing on the user comprises testing the user on a plurality of areas; wherein the subject includes a broad area (i.e., analytic geometry) and a narrow area (i.e., lesson number 13), with the broad area covering the narrow area; and the suggestion can be on the broad area or the narrow area and wherein based on the suggestion, materials are presented to the user to allow the user to practice on the subject so as to further enhance the user's understanding in the subject. See Col.9: 10-19.

3. [Claims 16,26]: Regarding Claims 16 and 26, Siefert discloses wherein the user is allowed to be involved in an interactive exploration (e.g., request another explanation) to learn about the subject. See Col.14: 56.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19-22 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siefert in view of Lee et al. (US 5,267,865).

1. [Claims 19,29]: Regarding Claims 19 and 29, Siefert does not disclose expressly determining a reward (i.e., games and videos) for the user, wherein the reward depends on a preference of the user. However, Lee teaches such in Col.7: 41-64. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate determining a reward depending on the preference of the user into the computer-implemented method of Siefert, in light of the teaching of Lee, in order to reward the user.

2. [Claims 20-21,30-31]: Regarding Claim 20-21 and 30-31, Lee discloses determining to restrict the user from enjoying certain materials not for learning the

Art Unit: 3715

subject (e.g., providing selections for rewarding only), wherein the materials require a device (i.e., student workstation) to fulfill its entertainment purpose. See Col.7: 41-64.

3. [Claims 22,32]: Regarding Claims 22 and 32, Lee discloses the computer (i.e., system program) determining a reward (i.e., game, video) for the user. See Col.7: 41-64.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- L'Allier et al. (US 6,039,575)
-interactive learning with pretest


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 571-272-4448. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3715

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Chanda L. Harris
Primary Examiner
Art Unit 3715